

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

TERRENCE LAMAR WILBURN,  
Petitioner,  
v.  
KATHLEEN ALISON,  
Respondents.

No. 2:22-cv-01947-DJC-JDP (HC)

ORDER

Petitioner, a state prisoner proceeding pro se, has filed an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 20, 2023, the Magistrate Judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Neither party has filed objections to the findings and recommendations.

The Court has reviewed the file and finds the findings and recommendations to be supported by the record and by the Magistrate Judge's analysis. Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed June 20, 2023, are adopted in full;
2. Respondent's motion to dismiss ECF No. 15, is granted and the petition is

1 dismissed as time-barred;

2 3. The Court declines to issue the certificate of appealability referenced in 28  
3 U.S.C. § 2253 as Petitioner has not made a substantial showing of the denial of a  
4 constitutional right, see 28 U.S.C. § 2253(c)(2); and

5 4. The Clerk of Court is directed to close this case and to enter judgment  
6 accordingly.

7  
8  
9 IT IS SO ORDERED.

10 Dated: September 2, 2023

  
Hon. Daniel J. Calabretta  
UNITED STATES DISTRICT JUDGE